

NOTICE

TO ALL INTERESTED PERSONS:

YOU ARE HEREBY NOTIFIED THAT THE FOLLOWING CHANGES IN THE RED CLIFF CODE OF LAWS HAS BEEN PROPOSED TO THE TRIBAL COUNCIL:

PERTAINING TO CHAPTER 32 – TRIBAL ELECTIONS

CHANGES AND ADDITIONS ARE INDICATED AS **BOLD** AND *ITALICIZED*
DELETIONS ARE INDICATED WITH ~~STRIKETHROUGHS~~.

Amend SECTION 1: PURPOSE AND AUTHORITY as follows:

- 32.1.1** The purpose of this Chapter is to establish rules and regulations governing all tribal elections in accordance with Red Cliff Constitution., Art. IV, sec. 4 ~~(1936)~~.
- 32.1.2** Nothing in this Chapter shall be construed as inconsistent with any provisions of the Red Cliff Constitution.

Delete, Add and Amend SECTION 8: SPECIAL ELECTIONS as follows:

Vacancies. When the Tribal Council calls a Special Election to fill a vacancy on the Council, the following rules shall govern:

~~a. The Tribal Council shall set the date for the Special Election no sooner than sixty (60) days after the next regular or special meeting of the Tribal Council after the vacancy occurs.~~

a. In accordance with Red Cliff Constitution Art. V, sec. III vacancies shall be filled

by appointing the candidate who was not elected but received the next highest number of votes for that particular council seat in the election. Where the person who received the next highest number of votes in the election in question is unable to serve for whatever reason, the seat shall be filled by a special election conducted in accordance with the requirements of this Chapter.

- b. *For Officer Vacancies* the Tribal Council shall set the date for the Special Election no sooner than sixty (60) days after the next regular or special meeting of the Tribal Council after the vacancy occurs *wherever it is reasonably practical to do so. For at large vacancies the Tribal Council shall set the date for the Special Election no sooner than thirty (30) days after the next regular or special meeting of the Tribal Council after the vacancy occurs wherever it is reasonably practical to do so. Where it is not reasonably practical to meet the time guidelines set forth in this section due to concern over leaving a position vacant for an extended period of time, the Tribal Council may waive this section by motion or resolution.*
- c. For officer positions, a Primary Election shall be held thirty (30) days prior to the Special Election. Candidates for these positions shall notify the Secretary of the Tribal Council of their desire to have their names placed on the primary ballot sixty (60) days prior to the Special Election. At the primary election, the two (2) candidates for each of the offices listed on the ballot as candidates for their respective office in the Special Election. In the event that there is also an open seat for at-large Council member in Special Election, candidates who do not survive the primary election shall be eligible for an at-large seat on the Council. There shall be no write-in candidates for the offices referred to in this section.

- d. In filling vacancies by Special election, the successful candidate(s) shall serve the remainder of the term on the vacancy.
- e. All other rules governing the conduct of General Elections (i.e. eligibility of voters, certification of election results, designation of polling place etc.) shall apply.

PUBLIC COMMENT ON THIS PROPOSAL IS ENCOURAGED. PLEASE DROP YOUR COMMENTS AT THE TRIBAL ADMINISTRATION BUILDING, OR FORWARD THEM DIRECTLY TO THE TRIBAL COUNCIL. THIS PROPOSAL WILL BE VOTED UPON ON **Tuesday September 23rd, 2014** AT THE REGULAR MEETING OF THE RED CLIFF TRIBAL COUNCIL. IF THE COUNCIL ENACTS THIS CODE CHANGE, THE CODE CHANGE SHALL BECOME EFFECTIVE ON **upon enactment**.

DATED: August 6, 2014